

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JONATHAN GHERTLER,</b>	:	<b>CIVIL ACTION NO. 1:11-CV-2385</b>
	:	
<b>Petitioner</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>FEDERAL BUREAU OF PRISONS</b>	:	
	:	
	:	
<b>Respondent</b>	:	

**ORDER**

AND NOW, this 18th day of January, 2012, upon consideration of the motion (Doc. 7) to amend filed by petitioner Jonathan Ghertler (“Ghertler”), wherein Ghertler seeks for the court to construe his petition for writ of error *coram nobis* as a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, and the court finding that amendment would be futile because the court previously dismissed a habeas corpus petition filed by Ghertler with identical claims, see Ghertler v. Ebbert, No. 11-CV-526, 2011 WL 2006367, (M.D. Pa. Apr. 25, 2011), report and recommendation adopted, Ghertler v. Ebbert, No. 11-CV-526, 2011 WL 1989764, (M.D. Pa. May 23, 2011); (see also Doc. 6, at 1-2), it is hereby ORDERED that:

1. The motion (Doc. 7) is DENIED.
2. Ghertler may file objections to the report and recommendation dated January 6, 2012, within fourteen (14) days of entry of this order.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge